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OGC HAS REVIEWED.

15 August 1951

MEMORANDUM FOR: GENERAL COUNSEL, CIA

SUBJECT: Employment of Retired Military Personnel as Consultants.

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1. [REDACTED] who recently retired from the Army under the retirement provisions applicable to Reserve Officers, was employed by OPC as a consultant beginning 2 July 1951. [REDACTED] was informed at that time by the administrative staff servicing the Division with which he is associated that he would be permitted to retain his retirement pay from the Army and to receive, in addition, his consultant fee of \$35.00 per day so long as he remained an intermittent consultant. This information was based on an opinion supplied by your office in 1949 in connection with our employment of [REDACTED]

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2. Subsequently, [REDACTED] of this Office discussed the case with [REDACTED] of your staff, who stated that [REDACTED] had retired under the act applicable to Reserve Officers, he probably could not draw retirement pay for the days on which he served OPC in a consultant capacity, and that he should notify the Army of the days during which he performed service here. [REDACTED] has taken the matter up with Mr. Gardner of the General Counsel's Office, Department of the Army, who has advised him that he must forfeit his retirement pay for all days during which he is employed by CIA, and that such a forfeiture would be applicable even though [REDACTED] had retired as a Regular Officer.

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3. I would appreciate your verifying the information furnished [REDACTED] by the Army, particularly that portion applicable to retired Regular Officers since it seems at variance with your opinion in [REDACTED] case.

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